AMENDED IN ASSEMBLY JANUARY 31, 2002

AMENDED IN ASSEMBLY SEPTEMBER 4, 2001

AMENDED IN SENATE MAY 2, 2001

SENATE BILL No. 687

Introduced by Senator Battin
(Coauthor: Assembly Member Aanestad)

February 23, 2001

An act to amend Section 114870 of the Health and Safety Code, relating to health.

LEGISLATIVE COUNSEL'S DIGEST

SB 687, as amended, Battin. Radiation: ~~licensure to operate a bone densitometer~~ *certification: bone densitometers*.

Existing law provides for the regulation of various entities by the State Department of Health Services to protect persons from excessive and improper exposure to ionizing radiation in radiologic technology, and establishes standards of education, training, and experience for persons who use X-rays on any person.

This bill would provide for certification, by the department, to any ~~licentiate of the healing arts~~ *physician and surgeon* to supervise the operation of an X-ray bone densitometer, or to operate a bone densitometer, if the ~~licentiate~~ *physician and surgeon* provides to the department a certificate by a manufacturer of a densitometer machine, or by a radiologic technology school, that evidences the licentiate's training, as prescribed, in the use of a bone densitometer.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 114870 of the Health and Safety Code is amended to read:

114870. The department shall:

(a) Upon recommendation of the committee, adopt regulations as may be necessary to accomplish the purposes of this chapter.

(b) Provide for certification of radiologic technologists, without limitation as to procedures or areas of application, except as provided in Section 106980. Separate certificates shall be provided for diagnostic radiologic technology, for mammographic radiologic technology, and for therapeutic radiologic technology. If a person has received accreditation to perform mammography from a private accreditation organization, the department shall consider this accreditation when deciding to issue a mammographic radiologic technology certificate.

(c) Provide, as may be deemed appropriate, for granting limited permits to persons to conduct radiologic technology limited to the performance of certain procedures or the application of X-ray to specific areas of the human body, except for mammography, prescribe minimum standards of training and experience for these persons, and prescribe procedures for examining applicants for limited permits. The minimum standards shall include a requirement that persons granted limited permits under this subdivision shall meet those fundamental requirements in basic radiological health training and knowledge similar to those required for persons certified under subdivision (b) of this section as the department determines are reasonably necessary for the protection of the health and safety of the public.

(d) Provide for the approval of schools for radiologic technologists.

(e) Provide, upon recommendation of the committee, for certification of licentiates of the healing arts to supervise the operation of X-ray machines or to operate X-ray machines, or both, prescribe minimum standards of training and experience for these licentiates of the healing arts, and prescribe procedures for examining applicants for certification. This certification may limit the use of X-rays to certain X-ray procedures and the application of X-rays to specific areas of the human body.

(f) *(1) Provide for certification of any physician and surgeon to supervise the operation of a bone densitometer, or to operate a bone densitometer, if that physician and surgeon provides a certificate that evidences training in the use of a bone densitometer by a representative of a bone densitometer machine manufacturer, or through any radiologic technology school. The activity covered by the certificate shall be limited to the use of an X-ray bone densitometer to which all of the following is applicable:*

(A) The bone densitometer does not require user intervention for calibration.

(B) The bone densitometer does not provide an image for diagnosis.

(C) The bone densitometer is used only to estimate bone density of the heel, wrist, or finger of the patient.

(2) The certificate shall be accompanied by a copy of the curriculum covered by the manufacturer's representative or school. The curriculum shall include, at a minimum, instruction in all of the following areas:

(A) Procedures for operation of the bone densitometer machine if the machine is to be operated by the physician and surgeon, or if the operation of the machine is to be supervised by the physician and surgeon.

(B) Proper radiation protection of the operator, the patient, and third parties in proximity to the machine.

(C) Applicable state radiation control regulations.

(3) (A) Notwithstanding any other provision of law, this subdivision shall constitute all the requirements that must be met by a physician and surgeon in order to operate, or supervise the operation of, a bone densitometer.

(B) No person may be supervised by a physician and surgeon in the use of a bone densitometer unless that person possesses the necessary license or permit required by the department.

(C) Nothing in this subdivision shall affect the requirements imposed by the commission or the department for the registration of a bone densitometer machine, or inspection of facilities in which any bone densitometer machine is operated.

(g) Upon recommendation of the committee, exempt from certification requirements licentiates of the healing arts who have successfully completed formal courses in schools certified by the department and who have successfully passed a roentgenology

technology and radiation protection examination approved by the department and administered by the board that issued his or her license.

~~(g) Provide for certification to any licentiate of the healing arts to supervise the operation of an X-ray bone densitometer, or to operate a bone densitometer, if the licentiate provides to the department a certificate by a manufacturer of a densitometer machine, or by a radiologic technology school, that evidences the licentiate's training in the use of a bone densitometer. The certificate shall be accompanied by a copy of the manufacturer's or school's curriculum completed by the licentiate, and the curriculum shall include, at a minimum, evidence of instruction in all of the following areas:~~

~~(1) Protection from radiation.~~

~~(2) Procedures for operating the particular densitometer machine to be operated or supervised by the licentiate, including the proper protection of the operator, the patient, and third parties in proximity to the machine.~~

~~(3) Applicable state radiation control regulations.~~

~~(h) Notwithstanding any other provision of law, subdivision (g) shall constitute all of the requirements that are required to be met by a licentiate in order to operate or supervise operation of a bone densitometer. However, nothing in subdivision (g) or this subdivision shall affect the requirements imposed by the commission or the department for registration of any bone densitometer machine or any inspection facility operating any bone densitometer machine.~~

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